

MAY 18 2012

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOSE CHAVEZ-TORRES,

Defendant - Appellant.

No. 11-10416

D.C. No. 4:11-cr-00039-CKJ

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Arizona  
Ivan Lemelle, District Judge, Presiding \*\*

Submitted May 15, 2012\*\*\*

Before: CANBY, GRABER, and M. SMITH, Circuit Judges.

Jose Chavez-Torres appeals from the 80-month sentence imposed following his guilty-plea conviction for attempted reentry after deportation, in violation of

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* Ivan Lemelle, United States District Judge for the Eastern District of Louisiana, sitting by designation.

\*\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

8 U.S.C. § 1326. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Chavez-Torres contends that the district court unreasonably denied his motion to continue the sentencing hearing for 60 days. The district court did not abuse its discretion by denying Chavez-Torres's motion for a continuance. *See United States v. Mejia*, 69 F.3d 309, 314 (9th Cir. 1995).

Chavez-Torres also contends that the district court erred by not granting an additional one-level reduction for acceptance of responsibility. This contention lacks merit. *See* U.S.S.G. § 3E1.1(b) cmt. n.6; *United States v. Johnson*, 581 F.3d 994, 1003-1004 (9th Cir. 2009).

**AFFIRMED.**